

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

CONSOLIDATED EDISON COMPANY)	
OF NEW YORK, INC.)	
)	Case No. 14 Civ. 6547 (CM) (JLC)
Plaintiff,)	
)	
v.)	
)	
LEXINGTON INSURANCE COMPANY,)	
)	
Defendant.)	

**NOTICE OF MOTION FOR RECONSIDERATION IN RESPONSE TO THE COURT’S
MEMORANDUM DECISION AND ORDER OF SEPTEMBER 9, 2015**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law and Declaration of David L. Elkind in support thereof, with accompanying exhibits, Plaintiff, Consolidated Edison Company of New York, Inc. (“Con Edison”), through its undersigned attorneys, Lowenstein Sandler LLP, will move, pursuant to Rule 6.3 of the Local Rules of the United States District Court for the Southern District of New York and Individual Rule of Practice IV(E)(4), before the Honorable Colleen McMahon, United States District Judge, at the Daniel Patrick Moynihan U.S. Courthouse, 500 Pearl Street, New York, New York 10007, at a date and at a time to be scheduled by the Court, for an Order (i) granting reconsideration of the Court’s Memorandum Decision and Order dated September 9, 2015, and (ii) reversing the Court’s decision granting in part Defendant Lexington Insurance Company’s Motion for Summary Judgment.

Dated: September 23, 2015

LOWENSTEIN SANDLER LLP

By: /s/David L. Elkind

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